

THE HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SHERYL FIFE, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

SCIENTIFIC GAMES CORP.,

Defendant.

No. 2:18-cv-00565-RBL

DECLARATION OF DAVID T. MARTIN  
IN SUPPORT OF DEFENDANT  
SCIENTIFIC GAMES CORPORATION'S  
MOTION TO DISMISS

I, David T. Martin, declare as follows:

1. I am one of the attorneys of record for Defendant Scientific Games Corporation, and I have personal knowledge of the facts set forth herein and am competent to testify to such facts.

2. Attached to this declaration as **Exhibit A** (filed in physical form) is a true and correct copy of the Jackpot Party Casino application, downloaded to an Apple iPad.

3. Attached to this declaration as **Exhibit B** (filed in physical form) is a true and correct copy of a video, which was created by recording a user operating the Jackpot Party Casino application that is downloaded onto the Apple iPad submitted as Exhibit A.

DECLARATION OF DAVID T. MARTIN ISO  
DEFENDANT SCIENTIFIC GAMES' MOTION  
TO DISMISS (NO. 2:18-CV-00565-RBL) – 1

LEGAL140312272.1

**Perkins Coie LLP**  
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Phone: 206.359.8000  
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1           4.       Attached to this declaration as **Exhibit C** are true and correct copies of  
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3       screenshots of the Jackpot Party Casino application, which are excerpted from the video attached  
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5       as Exhibit B.

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7           5.       Attached to this declaration as **Exhibit D** is a true and correct copy of the Jackpot  
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9       Party Casino Frequently Asked Questions, available online at  
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11       [https://jackpotpartycasino.zendesk.com/hc/en-us/articles/360002535534-Daily-Bonuses-Free-](https://jackpotpartycasino.zendesk.com/hc/en-us/articles/360002535534-Daily-Bonuses-Free-Coins)  
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13       Coins (last accessed June 25, 2018).

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15           6.       Attached to this declaration as **Exhibit E** is a true and correct copy of the  
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17       Washington State Gambling Commission's March 2014 brochure titled "Online Social Gaming:  
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19       When is it legal? What to Consider."

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21           7.       Attached to this declaration as **Exhibit F** is a true and correct copy of the  
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23       Washington State Gambling Commission's Approved Minutes from its May 9, 2013, public  
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25       meeting.

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27           8.       Attached to this declaration as **Exhibit G** is a true and correct copy of the  
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29       Washington State Gambling Commission's "Social Gaming" PowerPoint presentation.

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31           9.       Attached to this declaration as **Exhibit H** is a true and correct copy of the  
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33       Washington State Gambling Commission's April 4, 2018, press release entitled "Statement  
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35       regarding access to free online poker sites."

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37           10.       Attached to this declaration as **Exhibit I** is a true and correct copy of the  
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39       Washington State Gambling Commission's April 17, 2018, press release entitled "Director's  
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41       statement regarding Ninth Circuit Court of Appeals' published decision in Kater v. Churchill  
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43       Downs."

1 I CERTIFY UNDER PENALTY OF PERJURY that the foregoing is true and  
2  
3 correct.  
4

5 EXECUTED this 2nd day of July, 2018.  
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9

10 s/ David T. Martin

11 David T. Martin, WSBA No. 50160

12 Email: DMartin@perkinscoie.com  
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**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that on July 2, 2018, I electronically filed the foregoing DECLARATION OF DAVID T. MARTIN IN SUPPORT OF DEFENDANT SCIENTIFIC GAMES CORPORATION'S MOTION TO DISMISS with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

Janissa A. Strabuk Cecily C. Shiel <b>Tousley Brain Stephens</b> 1700 Seventh Ave Suite 2200 Seattle, WA 98101  Attorneys for Plaintiff	Rafey Balabanian Eve-Lynn Rapp Todd Logan <b>Edelson PC</b> 123 Townsend Street Suite 100 San Francisco, CA 94107  Attorneys for Plaintiff
Benjamin H. Richman <b>Edelson PC</b> 350 North LaSalle Street Suite 1400 Chicago, IL 60654  Attorney for Plaintiff	

I further certify that all parties to this action or their attorneys are CM/ECF participants.

DATED this 2nd day of July, 2018.

s/ Kathleen M. O'Sullivan  
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CERTIFICATE OF SERVICE  
(NO. 2:18-CV-00565-RBL) – 1

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